

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

STEVEN BRICE WIBRACHT, ET AL.,

Relator,

v.

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA, ET AL.,

Defendants.

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CIVIL ACTION NO. 2:21-CV-00125-JRG

ORDER

Before the Court is the Unopposed Motion to Amend Court Order (the “Motion”) filed by Relator Steven Brice Wibracht. (Dkt. No. 94.) The Motion relates to the briefing schedule for two motions to dismiss: the Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1), and 12(b)(6) filed by Defendant Time Insurance Agency (Dkt. No. 75) and the Motion to Dismiss Relator’s Second Amended Complaint filed by Defendant Travelers Casualty and Surety Company (Dkt. No. 76) (collectively, the “Motions to Dismiss”). In the Motion, Relator requests (1) that the deadline for Relator to respond to the Motions to Dismiss be extended up to and including October 19, 2023, (2) that the deadline for Defendants to file a reply brief in support of the Motions to Dismiss be extended up to and including November 7, 2023, and (3) that the deadline for Relator to file a sur-reply brief in opposition to the Motions to Dismiss be extended up to and including November 20, 2023. (*Id.* at 1.) The Motion is unopposed. (*Id.* at 2, 4.)

Having considered the Motion, and noting its unopposed nature, the Court finds that it should be and hereby is **GRANTED**. Accordingly, the Court **ORDERS** that (1) that the deadline for Relator to respond to the Motions to Dismiss be extended up to and including October 19, 2023, (2) that the deadline for Defendants to file a reply brief in support of the Motions to Dismiss

be extended up to and including November 7, 2023, and (3) that the deadline for Relator to file a sur-reply brief in opposition to the Motions to Dismiss be extended up to and including November 20, 2023.

Further, the Court **ORDERS** that previous Order on this topic (Dkt. No. 93) is **VACATED** as superseded by this Order.

So Ordered this

Oct 19, 2023



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE